

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Monday, January 12, 2015 5:16 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Subject: Quick Question related to our draft permits for Murphy-Brown
Importance: High

Hi Joel,

We are in the public notice stage for the two draft permits in which EPA reviewed and concurred on October 17, 2014. The regional office has just brought this to my attention, please see below:

The wording from the public notice, which seems to be the intent of the permit:

PROJECT DESCRIPTION: Murphy-Brown, LLC operates a confined animal feeding operation and has applied for the issuance of a permit for the discharge of treated stormwater collected in one of ten grass covered earthen structures (BMPs) that collect runoff from animal production areas.

The wording in the draft permit says:

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the Permittee is authorized to discharge:
 - a. from the facility's production area, manure, litter or process wastewater to surface waters of the state in the case of an overflow caused by a storm event greater than a 25-year, 24-hour storm;
 - b. from areas identified in the permit application as discharge points, manure, litter or process wastewater. The discharge points shall be monitored as specified in Part I B.1.a.; and
 - c. from the land application area(s), agricultural storm water.

The Public Notice and Part I A.1.b. do not currently match. We intended to allow de minimus amounts of waste to discharge, but the Draft Permit wording taken out of context appears to allow unlimited quantities of waste, which is not in line with the Public Notice and probably not in line with the intent of the permit.

We would like to make a slight change to the language in Part I A.1.b., please see below:

- b. from areas identified in the permit application as discharge points of storm water which may come into contact with manure, litter or process wastewater. The discharge points shall be monitored as specified in Part I B.1.a.;

We need to know if EPA has any concerns with this change to the language as soon as possible so that we can finalize these permits. I am available to speak with you tomorrow if you have questions.

Thank you,
Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
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804-698-4059 direct line
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Program

Websites: <http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry.aspx>

<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry/VirginiaPoultryWasteManagementRequirement.aspx>

<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Wednesday, February 11, 2015 5:19 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>; Zolandz, Mark <Zolandz.Mark@epa.gov>
Cc: Zahradka, Neil (DEQ) <Neil.Zahradka@deq.virginia.gov>; Owens, Amy (DEQ) <Amy.Owens@deq.virginia.gov>
Subject: Virginia's first finalized VPDES CAFO Permits

Hello Joel and Mark,
I am pleased to inform you both that the first two VPDES CAFO permits were signed on February 3, 2015. At the following link, you will find two folders labeled with the permit numbers. Each folder contains a .pdf version of the finalized permit, factsheet and transmittal letter.
<http://www.deq.virginia.gov/filesshare/lap/EPA/Final%20VPDES%20CAFO%20Permits/>

Feel free to contact me if you have any trouble accessing these documents or any questions.
Thanks,
Betsy

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From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Friday, March 20, 2015 1:50 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Subject: RE: VA NPDES CAFO Permits

Great, thank you so much for the additional information. I look forward to our conversation on Monday.
Betsy

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From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Friday, March 20, 2015 1:38 PM
To: Bowles, Betsy (DEQ)
Subject: RE: VA NPDES CAFO Permits

Betsy,

In preparation for our phone call, below, please find some thoughts to be discussed:

- Next steps for the petition - In lieu of Virginia's March 17, 2015 responses to the petition, EPA will incorporate this information into its final responses to the petitioner. If any further information is needed from Virginia, we will request it to resolve any outstanding issue in a timely manner. More detailed information will follow.
- Draft NPDES CAFO individual permits for swine operations - As we have discussed, we reserved the scope of our review. By April 12, 2015, EPA will provide general comments upon, objections to, or recommendations with respect to the proposed permits.

- Draft NPDES CAFO individual permits for poultry operations - There are CAFOs located in and out of the Chesapeake Bay watershed. As a recommendation we should identify and assign the decision-facilitating function and decision-influence function during the decision-making process to help better develop a schedule for permit development and issuance. Further discussion is needed.
- NPDES CAFO permit requirements for existing and applicable TMDLs - We will be recommending to be considered, the TMDL requirement set forth in Maryland's NPDES CAFO general permit (MDG01), issued December 1, 2014, to address our TMDLs concerns.

If you have any questions concerning this matter, please let me know.

Respectfully,

Joel

-----Original Appointment-----

From: Blanco-Gonzalez, Joel

Sent: Friday, March 20, 2015 1:00 PM

To: Blanco-Gonzalez, Joel; Bowles, Betsy (DEQ)

Subject: VA NPDES CAFO Permits

When: Monday, March 23, 2015 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Phone Call

The purpose of this phone call is to follow up on what was discussed during our March 20, 2015 conference call.

- Next Steps for the petition
- Draft NPDES CAFO individual permits for swine operations
- Draft NPDES CAFO individual permits for poultry operations
- NPDES CAFO permit requirements for existing and applicable TMDLs
-

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Friday, March 13, 2015 5:35 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>; Zolandz, Mark <Zolandz.Mark@epa.gov>
Cc: Zahradka, Neil (DEQ) <Neil.Zahradka@deq.virginia.gov>; Owens, Amy (DEQ) <Amy.Owens@deq.virginia.gov>; Mullins, Seth (DEQ) <Seth.Mullins@deq.virginia.gov>; Winter, Kyle (DEQ) <Kyle.Winter@deq.virginia.gov>
Subject: Murphy-Brown LLC - Draft VPDES CAFO IPs for review

Hi Joel,

Please find the each of the draft VPDES CAFO Individual permits, draft factsheets and application documents for the remaining six (6) Murphy-Brown LLC farms (VA0C40001, VA0C40002, VA0C40003, VA0C40004, VA0C40005, and VA0C40006) covered by the Piedmont Regional Office, at the following File Share Site.

<http://www.deq.virginia.gov/fileshare/lap/EPA/Draft%20VPDES%20CAFO%20Permits/>

Please let me know if you have any questions during your review of these drafts permits and related documents.

Have a wonderful weekend,
Betsy

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From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Monday, March 23, 2015 2:17 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Subject: RE: VA NPDES CAFO Permits

Here is what I was trying to explain.

Excerpt from draft Factsheet for latest M-B draft permits for a local TMDL.

Effluent Limitations / Monitoring Rationale: These facilities are operated to be in compliance with a zero discharge from the production area, which includes the animal housing, waste handling, and waste storage areas as well as the secondary containments. Other nonproduction area discharges are addressed through the use of Best Management Practices (BMPs) as described in the permit application, permit and permit factsheet. The BMPs will perform to minimize discrete discharges from the non-production areas including the land application sites. Maintenance and operation of the BMPs will be addressed in the Farm Operating Manual and evaluated during DEQ inspections.

Excerpt from draft and issued M-B permits for a local TMDL.

3. Total Maximum Daily Load (TMDL) Reopener: This permit shall be modified or, alternatively, revoked and reissued if any approved wasteload allocation procedure, pursuant to Section 303 (d) of the Clean Water Act, imposes wasteload allocations, limits or conditions on the facility that are not consistent with the permit requirements.

Let me know if you have any questions,
Betsy

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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Friday, March 20, 2015 1:38 PM
To: Bowles, Betsy (DEQ)
Subject: RE: VA NPDES CAFO Permits

Betsy,

In preparation for our phone call, below, please find some thoughts to be discussed:

- Next steps for the petition - In lieu of Virginia's March 17, 2015 responses to the petition, EPA will incorporate this information into its final responses to the petitioner. If any further information is needed from Virginia, we will request it to resolve any outstanding issue in a timely manner. More detailed information will follow.
- Draft NPDES CAFO individual permits for swine operations - As we have discussed, we reserved the scope of our review. By April 12, 2015, EPA will provide general comments upon, objections to, or recommendations with respect to the proposed permits.
- Draft NPDES CAFO individual permits for poultry operations - There are CAFOs located in and out of the Chesapeake Bay watershed. As a recommendation we should identify and assign the decision-facilitating function and decision-influence function during the decision-making process to help better develop a schedule for permit development and issuance. Further discussion is needed.
- NPDES CAFO permit requirements for existing and applicable TMDLs - We will be recommending to be considered, the TMDL requirement set forth in Maryland's NPDES CAFO general permit (MDG01), issued December 1, 2014, to address our TMDLs concerns.

If you have any questions concerning this matter, please let me know.

Respectfully,

Joel

-----Original Appointment-----

From: Blanco-Gonzalez, Joel

Sent: Friday, March 20, 2015 1:00 PM

To: Blanco-Gonzalez, Joel; Bowles, Betsy (DEQ)

Subject: VA NPDES CAFO Permits

When: Monday, March 23, 2015 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Phone Call

The purpose of this phone call is to follow up on what was discussed during our March 20, 2015 conference call.

- Next Steps for the petition
- Draft NPDES CAFO individual permits for swine operations
- Draft NPDES CAFO individual permits for poultry operations
- NPDES CAFO permit requirements for existing and applicable TMDLs
-

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Friday, April 17, 2015 2:20 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Cc: Trulear, Brian <Trulear.Brian@epa.gov>; Smith, Mark <Smith.Mark@epa.gov>
Subject: RE: Draft Permit Comments - CAFO Murphy Brown LLC Farms

Hello Joel,

This email is to let you know that the Piedmont Regional staff have revised the draft Factsheets for the remaining six (6) Murphy-Brown LLC farms (VA0C40001, VA0C40002, VA0C40003, VA0C40004, VA0C40005, and VA0C40006). The revisions include the staff TMDL and Planning information and can be found at the following File Share Site:
<http://www.deq.virginia.gov/fileshare/lap/EPA/Draft%20VPDES%20CAFO%20Permits/Revised%20draft%20Factsheets/>.

Please let me know if you have any further questions or comments. Thank you and have a great weekend,
Betsy

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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Thursday, April 16, 2015 4:23 PM
To: Bowles, Betsy (DEQ)
Cc: Trulear, Brian; Smith, Mark
Subject: RE: Draft Permit Comments - CAFO Murphy Brown LLC Farms

Betsy,

This is to inform you that our April 10, 2015 comments were based on the draft NPDES CAFO individual permits below.

- CAFO Murphy Brown LLC Farms 9, 10, 21 (VA0C40001)
- CAFO Murphy Brown LLC Farms 12 (VA0C40002)
- CAFO Murphy Brown LLC Farms 13-14 (VA0C40003)
- CAFO Murphy Brown LLC Farms 15 (VA0C40004)
- CAFO Murphy Brown LLC Farms 16-17 (VA0C40005)
- CAFO Murphy Brown LLC Farms 18-20 (VA0C40006)

If you have any questions concerning this matter, please contact us.

Respectfully,

Joel

Joel Blanco-González
 NPDES Permits Branch (3WP41)
 Office of Permits and Enforcement
 Water Protection Division | U.S. EPA Region III
 1650 Arch Street | Philadelphia, PA 19103 - 2029
 Phone: (215) 814 - 2768 | Fax: (215) 814 - 2302
 Email: blanco-gonzalez.joel@epa.gov

From: Blanco-Gonzalez, Joel

Sent: Friday, April 10, 2015 1:51 PM

To: 'Bowles, Betsy (DEQ)'

Cc: Trulear, Brian; Smith, Mark

Subject: Draft Permit Comments - CAFO Murphy Brown LLC Farms

Betsy,

According to the Memorandum of Agreement (MOA) between the U.S. Environmental Protection Agency (EPA) Region III and the Virginia Department of Environmental Quality (DEQ), the EPA has reviewed the draft National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) individual permits for:

- CAFO Murphy Brown LLC Farms 1-5 (VA0C50001)
- CAFO Murphy Brown LLC Farms 6-8 (VA0C50002)
- CAFO Murphy Brown LLC Farms 9, 10, 21 (VA0C40001)
- CAFO Murphy Brown LLC Farms 12 (VA0C40002)
- CAFO Murphy Brown LLC Farms 13-14 (VA0C40003)
- CAFO Murphy Brown LLC Farms 15 (VA0C40004)
- CAFO Murphy Brown LLC Farms 16-17 (VA0C40005)
- CAFO Murphy Brown LLC Farms 18-20 (VA0C40006)

EPA has chosen to perform a limited review based on the draft permit and fact sheet. As a result of our limited review, we offer the following comments and recommendations. Both, the draft

permit and fact sheet, as written, lack the necessary information for us to determine whether or not these documents address requirements for total maximum daily loads (TMDLs). These documents should include requirements and DEQ's rationale to implement TMDLs, including the Chesapeake Bay TMDL and Watershed Implementation Plans or discharges to impaired waters. Please address our comments and recommendations, and provide us with any changes to the draft permit, fact sheet, and/or permit components.

If you have any questions concerning this matter, please contact us.

Respectfully,

Joel

Joel Blanco-González
NPDES Permits Branch (3WP41)
Office of Permits and Enforcement
Water Protection Division | U.S. EPA Region III
1650 Arch Street | Philadelphia, PA 19103 - 2029
Phone: (215) 814 - 2768 | Fax: (215) 814 - 2302
Email: blanco-gonzalez.joel@epa.gov

From: Blanco-Gonzalez, Joel
Sent: Friday, March 13, 2015 5:57 PM
To: 'Bowles, Betsy (DEQ)'
Cc: Zahradka, Neil (DEQ); Owens, Amy (DEQ); Mullins, Seth (DEQ); Winter, Kyle (DEQ); Trulear, Brian; Smith, Mark; Zolandz, Mark
Subject: RE: Murphy-Brown LLC - Draft VPDES CAFO IPs for review

Betsy,

This is to inform you that by April 12, 2015, EPA will provide general comments upon, objections to, or recommendations with respect to the proposed permits.

If you have any questions concerning this matter, please contact us.

Respectfully,

Joel

From: Bowles, Betsy (DEQ) [<mailto:Betsy.Bowles@deq.virginia.gov>]
Sent: Friday, March 13, 2015 5:35 PM
To: Blanco-Gonzalez, Joel; Zolandz, Mark
Cc: Zahradka, Neil (DEQ); Owens, Amy (DEQ); Mullins, Seth (DEQ); Winter, Kyle (DEQ)
Subject: Murphy-Brown LLC - Draft VPDES CAFO IPs for review

Hi Joel,

Please find the each of the draft VPDES CAFO Individual permits, draft factsheets and application documents for the remaining six (6) Murphy-Brown LLC farms (VA0C40001,

VA0C40002, VA0C40003, VA0C40004, VA0C40005, and VA0C40006) covered by the Piedmont Regional Office, at the following File Share Site.
<http://www.deq.virginia.gov/filesshare/lap/EPA/Draft%20VPDES%20CAFO%20Permits/>

Please let me know if you have any questions during your review of these drafts permits and related documents.

Have a wonderful weekend,
Betsy

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From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Friday, May 01, 2015 2:12 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Subject: RE: Draft Permit Comments - CAFO Murphy Brown LLC Farms

Hi Joel,

The Effluent Limitations / Monitoring Rationale is stated in the Factsheet (see number 18. below) and additional rationale and information is included in Attachment 6 of the Factsheet (see excerpt memorandum below) with respect to the TMDL. The permit language requires the BMPs that are listed in the permit application addendum to be implemented. DEQ considers these facilities to be in compliance with the TMDLs based on the way the facilities are being operated to include the implementation of the BMPs already mentioned in the application addendum. The Farm Operating Manual as required by the permit will further describe the continued operation and maintenance of the required BMPs (listed in the application addendum).

Please see my responses to your specific questions below. If you still feel that we need to speak, please let me know and I will look for dates when some of my folks will be available to discuss.

18. Effluent Limitations / Monitoring Rationale:

These facilities are operated to be in compliance with a zero discharge from the production area, which includes the animal housing, waste handling, and waste storage areas as well as the secondary containments. Other nonproduction area discharges are addressed through the use of Best Management Practices (BMPs) as described in the permit application, permit and permit factsheet. The BMPs will perform to minimize discrete discharges from the non-production areas including the land application sites. Maintenance and operation of the BMPs will be addressed in the Farm Operating Manual and evaluated during DEQ inspections.

Found in Attachment 6 of the Factsheets:

MEMORANDUM

DEPARTMENT OF ENVIRONMENTAL QUALITY

Piedmont Regional Office

4949-A Cox Road Glen Allen, Virginia 23060

SUBJECT: Flow Frequency Determination / 303(d) Status

Murphy Brown, LLC Farms 9, 10, and 21 - VA0C40001

TO: Seth Mullins

FROM: Jennifer Palmore, P.G.

DATE: March 20, 2015

COPIES: File

Murphy Brown Farms 9, 10, and 21 discharge to unnamed tributaries of Otterdam Swamp in Surry County. Flow frequencies have been requested for use in the VPDES permit.

The receiving streams are shown as ephemeral and intermittent on the USGS Waverly 7 ½' Quadrangle topographic map. The flow frequencies for dry ditches and intermittent streams are shown below.

Unnamed tributaries at discharge points:

1Q30 = 0.0 cfs High Flow 1Q10 = 0.0 cfs

1Q10 = 0.0 cfs High Flow 7Q10 = 0.0 cfs

7Q10 = 0.0 cfs High Flow 30Q10 = 0.0 cfs

30Q10 = 0.0 cfs HM = 0.0 cfs

30Q5 = 0.0 cfs

During the 2012 305(b)/303(d) Integrated Water Quality Assessment Report, the tributaries were considered Category 5A waters ("A Water Quality Standard is not attained. The water is impaired or threatened for one or more designated uses by a pollutant(s) and requires a TMDL (303d list).") The Fish

Consumption Use was impaired due to a VDH advisory for mercury; the applicable fact sheet is attached. The Recreation-, Aquatic Life-, and Wildlife Uses were not assessed. Dry ditches and intermittent streams are considered Tier 1 waters. The watershed is classified as Class VII swampwater.

The farms were included in the Blackwater River and Tributaries Bacterial TMDL under their previous VPA permit VPA00574. The TMDL was approved by the EPA on 7/9/2010 and by the SWCB on 9/30/2010. Murphy Brown received an E. coli wasteload allocation of 0 cfu/year to recognize that the facility did not have a direct discharge in their permit and that any bacteria load is accounted for in the load allocation.

My responses to your specific questions:

- Does the NMP include the use of BMPs to control pollutants, including e-coli or its equivalent from the production area and land application for manure area(s) and/or to ensure the implementation of applicable TMDLs? The NMP includes requirements for land application such as the proper land application rates, timing, and methods. The permit and NMP requires specific land application buffers (set-backs to sensitive sites). The permit requires the NMP to be implemented. The permit requires the implementation of BMPs and the implementation of a Farm Operating Manual. The Farm Operating Manual as required by the permit will provide the details related to the continued operation and maintenance of the required BMPs (listed in the application addendum).
- If BMPs are being used to control pollutants, including e-coli or its equivalent and or to ensure the implementation of applicable TMDLs, does the NMP specify how they are to be implemented? Again in Virginia, we use a combination of the Permit and the Farm Operating Manual to address the any of the minimum (nine) elements which the Virginia NMPs do not address. The permit requires the implementation of BMPs and the implementation of a Farm Operating Manual. The Farm Operating Manual as required by the permit provides the details related to the continued operation and maintenance of the required BMPs (listed in the application addendum).

Please let me know if you have any questions.

Thanks,
Betsy

Betsy K. Bowles
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804-698-4059 direct line
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry/VirginiaPoultryWasteManagementRequirement.aspx>

<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [<mailto:Blanco-Gonzalez.Joel@epa.gov>]

Sent: Friday, May 01, 2015 9:20 AM

To: Bowles, Betsy (DEQ)

Cc: Trulear, Brian; Duchovnay, Andrew

Subject: Draft Permit Comments - CAFO Murphy Brown LLC Farms

Dear Betsy,

Re: CAFO Murphy Brown LLC Farms 9, 10, 21 (VA0C40001); CAFO Murphy Brown LLC Farms 12 (VA0C40002); CAFO Murphy Brown LLC Farms 13-14 (VA0C40003); CAFO Murphy Brown LLC Farms 15 (VA0C40004); CAFO Murphy Brown LLC Farms 16-17 (VA0C40005); CAFO Murphy Brown LLC Farms 18-20 (VA0C40006)

Our records show that there are total maximum daily loads (TMDLs) requirements that apply to these concentrated animal feeding operation (CAFO) facilities. A national pollutant discharge elimination system (NPDES) CAFO permit should include requirements to ensure the implementation of applicable TMDLs, and subsequently its fact sheet should document the permitting authority rationale on how an NPDES CAFO permit ensures the implementation of applicable TMDLs.

Best management practices (BMPs) listed in the CAFO's nutrient management plan (NMP) and/or required in an NPDES CAFO permit are regulatory mechanisms to help better address the implementation of applicable TMDLs in a CAFO. A BMP is an NPDES CAFO permit condition used in place of or in conjunction with effluent limitations to prevent or control the discharge of pollutants, which may include schedule of activities, prohibition of practices, maintenance procedure, or other management practice. BMPs may also include, but are not limited to, water quality sampling requirements, treatment requirements, operating procedures, or practices to control runoff, spillage, leaks, or drainage from raw material storage.

An NMP that is part of an NPDES CAFO permit must include, at a minimum, BMPs necessary to achieve the nine minimum requirements of 40 CFR §§ 122.42(e)(1)(i-ix)(minimum measures) and other effluent limitations and standards. The minimum measures must include requirements applicable to both, the production area and the land application area. An NPDES CAFO permit and its NMP shall require and identify specific records that will be maintained to document the implementation and management of the minimum measures, including the documentation of appropriate BMPs as well as other necessary record keeping requirements.

EPA would like to further discuss its concerns on this matter with the Virginia Department of Environmental Quality (DEQ). Could you please provide us with your availability to discuss

this and any other related issue? In preparation to our conversation, below please find some questions to be answered.

- Does the NMP include the use of BMPs to control pollutants, including e-coli or its equivalent from the production area and land application for manure area(s) and/or to ensure the implementation of applicable TMDLs?
- If BMPs are being used to control pollutants, including e-coli or its equivalent and or to ensure the implementation of applicable TMDLs, does the NMP specify how they are to be implemented?

Should you have any questions or concerns concerning this matter, please contact us.

Respectfully,

Joel

Joel Blanco-González
NPDES Permits Branch (3WP41)
Office of Permits and Enforcement
Water Protection Division | U.S. EPA Region III
1650 Arch Street | Philadelphia, PA 19103 - 2029
Phone: (215) 814 - 2768 | Fax: (215) 814 - 2302
Email: blanco-gonzalez.joel@epa.gov

From: Bowles, Betsy (DEQ)
Sent: Thursday, May 22, 2014 4:11 PM
To: Joel Blanco-Gonzalez
Subject: Murphy-Brown LLC - draft VPDES CAFO IPs

Hi Joel,

Please find the draft documents for permit numbers VA0C50001 (Farms 1-5) and VA0C50002 (Farms 6-8) at the following File Transfer Sites.

Farms 1-5:

<http://www.deq.virginia.gov/fileshare/wps/EPA/TRO/VA050001%20Murphy%20Brown%20Farms%201-5/>

Farms 6-8:

<http://www.deq.virginia.gov/fileshare/wps/EPA/TRO/VA050002%20Murphy%20Brown%20Farms%206-8/>

Please let me know if you are interested in reviewing the drafts for the PRO farms. If so, I will forward those drafts once I get them.

Please let me know if you have any questions during your review of these drafts permits and related documents.

Have a wonderful Memorial Day,
Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
Virginia Department of Environmental Quality
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Richmond, VA 23219
804-698-4059 direct line
804-698-4032 fax

betsy.bowles@deq.virginia.gov

Mailing Address:
P.O. Box 1105
Richmond, VA 23218

Program

Websites: <http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry.aspx>

<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry/VirginiaPoultryWasteManagementRequirement.aspx>

<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Friday, June 19, 2015 11:07 AM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Subject: VA NPDES CAFO Permits for review

Hello Joel,

This email is to let you know that the draft permits and Factsheets for the remaining six (6) Murphy-Brown LLC farms (VA0C40001, VA0C40002, VA0C40003, VA0C40004, VA0C40005, and VA0C40006) have been revised. The revisions include new language added to both the draft permits and factsheets which we discussed during our conference call on June 11, 2015. The entire permit packages can be found at the following File Share Site:
<http://www.deq.virginia.gov/fileshare/lap/EPA/Draft%20VPDES%20CAFO%20Permits/>.

Please let me know if you have any further questions or comments. Thank you and have a great weekend,
Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
Virginia Department of Environmental Quality
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Richmond, VA 23219
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry/VirginiaPoultryWasteManagementRequirement.aspx>
<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Thursday, June 11, 2015 2:08 PM
To: Bowles, Betsy (DEQ); Zahradka, Neil (DEQ)
Cc: Trulear, Brian; Smith, Mark; Duchovnay, Andrew
Subject: RE: Today's Meeting - VA NPDES CAFO Permit

In preparation to our conversation, below please find the following for your information.

Issue - EPA and Virginia are working on draft National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) permits for swine operations and draft permit template for poultry operations. Presently, we are incorporating Total Maximum Daily Loads (TMDLs), including the Chesapeake Bay TMDL considerations into Virginia's CAFO permitting process.

Background - Virginia submitted its first two draft NPDES CAFO permits in May 2014, which EPA reviewed and commented to ensure the permits comply with federal requirements. Based on EPA's comments and recommendations, Virginia made revisions to the draft permits, fact sheets, and permit application forms (including an application addendum) to address the federal nine minimum requirements for CAFOs. Virginia issued its first two NPDES CAFO individual permits for swine operations, dated February 3, 2015. These permits build upon EPA's comments and recommendations and ensure compliance with the federal nine minimum requirements (minimum measures) and public notice requirements for the draft permits and Nutrient Management Plans (NMPs). With Virginia's NPDES CAFO permitting milestone accomplished, now all the regional states have CAFO-permitted facilities. In order for Virginia to meet its responsibilities of implementing its NPDES CAFO program, Virginia continued to submit additional draft NPDES CAFO permits in March 2015, which need to incorporate TMDLs considerations, including permit requirements to comply with federal regulations.

TMDLs - EPA's records show that there are TMDLs requirements that apply to these CAFO operations. An NPDES CAFO permit should include requirements to ensure the implementation of applicable TMDLs, and subsequently its fact sheet should document the permitting authority rationale on how an NPDES CAFO permit ensures the implementation of applicable TMDLs. Best management practices (BMPs) listed in the CAFO's NMP and/or required in an NPDES CAFO permit are regulatory mechanisms to help better address the implementation of applicable TMDLs in a CAFO. A BMP is an NPDES CAFO permit condition used in place of or in conjunction with effluent limitations to prevent or control the discharge of pollutants, which may include schedule of activities, prohibition of practices, maintenance procedure, or other management practice. BMPs may also include, but are not limited to, water quality sampling requirements, treatment requirements, operating procedures, or practices to control runoff, spillage, leaks, or drainage from raw material storage. An NMP that is part of an NPDES CAFO permit must include, at a minimum, BMPs necessary to achieve minimum measures and other effluent limitations and standards. The minimum measures must include requirements applicable to both, the production area and the land application area. An NPDES CAFO permit and its NMP shall require and identify specific records that will be maintained to document the implementation and management of the minimum measures, including the documentation of appropriate BMPs as well as other necessary record keeping requirements

Template for poultry operations - Virginia is proposing to include a permit requirement to address TMDLs.

FOMs - The draft permits as written propose to require the permittee to develop and submit a FOM for approval by the permitting authority within 90 days of the effective date of the permits. For these FOMs, Virginia is proposing to impose a compliance schedule to provide the permittee with a time frame to achieve compliance with the terms and conditions of these draft

permits. It is EPA's understanding that a FOM, once is reviewed and approved by the permitting authority, it will complement the terms and conditions of these draft permits.

Next Steps – To clarify and discuss these draft permits.

Should you have any questions or concerns concerning this matter, please contact us.

Respectfully,

Joel

From: Blanco-Gonzalez, Joel
Sent: Thursday, June 11, 2015 12:57 PM
To: 'Bowles, Betsy (DEQ)'; 'Neil.Zahradka@deq.virginia.gov'
Cc: Trulear, Brian; Smith, Mark; Duchovnay, Andrew
Subject: Today's Meeting - VA NPDES CAFO Permit

Dear Virginia Colleagues,,

In preparation to our conversation, below please find the following for your information.

Issue - EPA and Virginia are working on draft National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) permits for swine operations and draft permit template for poultry operations. Presently, we are incorporating Total Maximum Daily Loads (TMDLs), including the Chesapeake Bay TMDL considerations into Virginia's CAFO permitting process.

Background - Virginia submitted its first two draft NPDES CAFO permits in May 2014, which EPA reviewed and commented to ensure the permits comply with federal requirements. Based on EPA's comments and recommendations, Virginia made revisions to the draft permits, fact sheets, and permit application forms (including an application addendum) to address the federal nine minimum requirements for CAFOs. Virginia issued its first two NPDES CAFO individual permits for swine operations, dated February 3, 2015. These permits build upon EPA's comments and recommendations and ensure compliance with the federal nine minimum requirements (minimum measures) and public notice requirements for the draft permits and Nutrient Management Plans (NMPs). With Virginia's NPDES CAFO permitting milestone accomplished, now all the regional states have CAFO-permitted facilities. In order for Virginia to meet its responsibilities of implementing its NPDES CAFO program, Virginia continued to submit additional draft NPDES CAFO permits in March 2015, which need to incorporate TMDLs considerations, including permit requirements to comply with federal regulations.

TMDLs - EPA's records show that there are TMDLs requirements that apply to these CAFO operations. An NPDES CAFO permit should include requirements to ensure the implementation of applicable TMDLs, and subsequently its fact sheet should document the permitting authority rationale on how an NPDES CAFO permit ensures the implementation of applicable TMDLs. Best management practices (BMPs) listed in the CAFO's NMP and/or required in an NPDES CAFO permit are regulatory mechanisms to help better address the implementation of

applicable TMDLs in a CAFO. A BMP is an NPDES CAFO permit condition used in place of or in conjunction with effluent limitations to prevent or control the discharge of pollutants, which may include schedule of activities, prohibition of practices, maintenance procedure, or other management practice. BMPs may also include, but are not limited to, water quality sampling requirements, treatment requirements, operating procedures, or practices to control runoff, spillage, leaks, or drainage from raw material storage. An NMP that is part of an NPDES CAFO permit must include, at a minimum, BMPs necessary to achieve minimum measures and other effluent limitations and standards. The minimum measures must include requirements applicable to both, the production area and the land application area. An NPDES CAFO permit and its NMP shall require and identify specific records that will be maintained to document the implementation and management of the minimum measures, including the documentation of appropriate BMPs as well as other necessary record keeping requirements

FOMs - The draft permits as written propose to require the permittee to develop and submit a FOM for approval by the permitting authority within 90 days of the effective date of the permits. For these FOMs, Virginia is proposing to impose a compliance schedule to provide the permittee with a time frame to achieve compliance with the terms and conditions of these draft permits. It is EPA's understanding that a FOA, once is reviewed and approved by the permitting authority, it will complement the terms and conditions of these draft permits. A FOA should not address federal requirements.

Next Steps – To clarify and discuss these draft permits.

Should you have any questions or concerns concerning this matter, please contact us.

Respectfully,

Joel

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Monday, September 29, 2014 11:48 AM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Cc: Mullins, Seth (DEQ) <Seth.Mullins@deq.virginia.gov>; Winter, Kyle (DEQ) <Kyle.Winter@deq.virginia.gov>; Sauer, Mark (DEQ) <Mark.Sauer@deq.virginia.gov>; Smithson Jr., Robert (DEQ) <Robert.SmithsonJr@deq.virginia.gov>; Zahradka, Neil (DEQ) <Neil.Zahradka@deq.virginia.gov>
Subject: Permittee's response to Addendum revision

Joel,

The attachment is the Permittee's response to the revised application addendum. I believe this response addresses the EPA concerns for public notice concerning the mortality management and chemical handling satisfactorily.

Let me know if you have any comments.

Thank you,

Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
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804-698-4059 direct line
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Program

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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Monday, August 24, 2015 4:20 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Cc: Trulear, Brian <Trulear.Brian@epa.gov>
Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Joel,

The attached documents are the draft revised Murphy-Brown VPDES CAFO permits (all six) and one draft Fact sheet. The BMP special condition was revised and moved into Part II C in the Special Conditions section. The fact sheet is highlighted to show where it was moved in the permit, otherwise, the language in the fact sheet has not been changed.

Let me know if you have any questions.

Thanks,

Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
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Richmond, VA 23219
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Monday, August 24, 2015 10:49 AM
To: Bowles, Betsy (DEQ)
Cc: Trulear, Brian
Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Good Morning, Betsy,

We would like to see a copy of the revised draft permit and the language VADEQ will add to the fact sheet.

Should you have any questions or concerns regarding this matter, please contact us.

Respectfully,

Joel

From: Bowles, Betsy (DEQ) [<mailto:Betsy.Bowles@deq.virginia.gov>]
Sent: Friday, August 21, 2015 7:30 PM
To: Blanco-Gonzalez, Joel
Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Hi Joel,
I have made changes to the permit language as requested by EPA. I can send the draft permits to EPA on Monday. However, if you would like to see the draft Factsheets I will have to send those at a separate time. The regional staff must make some changes to the Fact sheet, that staff member is not in on Mondays.
Betsy

Betsy K. Bowles
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry/VirginiaPoultryWasteManagementRequirement.aspx>
<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [<mailto:Blanco-Gonzalez.Joel@epa.gov>]
Sent: Wednesday, August 19, 2015 9:24 AM
To: Bowles, Betsy (DEQ)
Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Good Morning, Betsy,

Could you please share with us the status of the draft NPDES permits below.

Should you have any questions or concerns regarding this matter, please contact me.

Respectfully,

Joel

From: Blanco-Gonzalez, Joel
Sent: Thursday, July 16, 2015 11:56 AM
To: 'Bowles, Betsy (DEQ)'
Cc: Trulear, Brian; 'Zahradka, Neil (DEQ)'
Subject: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Betsy,

According to the Memorandum of Agreement (MOA) between the United States Environmental Protection Agency (EPA) Region III and the Virginia Department of Environmental Quality (VADEQ), the EPA has reviewed the draft National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) individual permits for:

- CAFO Murphy Brown LLC Farms 9, 10, 21 (VA0C40001)
- CAFO Murphy Brown LLC Farms 12 (VA0C40002)
- CAFO Murphy Brown LLC Farms 13-14 (VA0C40003)
- CAFO Murphy Brown LLC Farms 15 (VA0C40004)
- CAFO Murphy Brown LLC Farms 16-17 (VA0C40005)
- CAFO Murphy Brown LLC Farms 18-20 (VA0C40006)

EPA has chosen to perform a limited review based on the draft permit and fact sheet we received on June 19, 2015. As a result of our limited review, we offer the following comments and recommendations. As a recommendation, please add the following requirement as set forth in the draft VADEQ NPDES individual permit template for poultry operations.

VA NPDES CAFO IPs for Poultry Operations

PART III.B. LAND APPLICATION REQUIREMENTS

- 2. Best Management Practices (BMP): If a BMP or BMPs are utilized, installed or constructed at the facility for water quality protection including the requirements and assumptions of any approved TMDL or in compliance with 40 CFR Part 412, the BMP or BMPs must be maintained onsite for the term of this permit or the life of the practice, whichever is shorter. Details regarding the purpose and maintenance of the BMP shall be included in the facility's Farm Operating Manual. The Department will provide written notification to the owner that a facility is subject to any TMDL requirements.*

Please address our comments and recommendations, and provide us with any changes to the draft permit, fact sheet, and/or permit components. Should you have any questions or concerns regarding this matter, please contact us.

Respectfully,

Joel

Joel Blanco-González
NPDES Permits Branch (3WP41)
Office of Permits and Enforcement
Water Protection Division | U.S. EPA Region III
1650 Arch Street | Philadelphia, PA 19103 - 2029
Phone: (215) 814 - 2768 | Fax: (215) 814 - 2302
Email: blanco-gonzalez.joel@epa.gov

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Monday, December 15, 2014 11:44 AM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Cc: Zolandz, Mark <Zolandz.Mark@epa.gov>
Subject: RE: EPA Completes Review of Virginia's First NPDES CAFO Individual Permits

Hi Joel,
On Tuesday, December 9th, DEQ staff emailed the requests to the two local newspapers to publish the two draft VPDES CAFO permits that EPA reviewed.

Thanks and Happy Holidays to you as well.
Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
Virginia Department of Environmental Quality
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Wednesday, November 26, 2014 1:37 PM
To: Bowles, Betsy (DEQ)
Subject: RE: EPA Completes Review of Virginia's First NPDES CAFO Individual Permits

Dear Betsy,

Could you provide me with an update on the draft NPDES CAFO permits we reviewed?

If you have any questions concerning this matter, please contact us.

Respectfully,

Joel

Happy Holidays!

From: Blanco-Gonzalez, Joel

Sent: Friday, October 17, 2014 1:27 PM

To: 'Bowles, Betsy (DEQ)'; Zahradka, Neil (DEQ)

Cc: Trulear, Brian; Cruz, Francisco; Smith, Mark; Zolandz, Mark

Subject: EPA Completes Review of Virginia's First NPDES CAFO Individual Permits

Good Afternoon,

On October 7, 2014, the U.S Environmental Protection Agency (EPA) Region III communicated to the Virginia Department of Environmental Quality (DEQ) that EPA had no further comments on the first two National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) individual permits and has completed its review for the Murphy Brown LLC, Farms 1-5 (VA0C50001) and the Murphy Brown LLC, Farms 6-8 (VA0C50002).

Based on our e-mail correspondence and conversations, we agreed that DEQ will move forward with making the draft NPDES CAFO permits available for public comment, and if no major comments are received during the public comment period, DEQ plans to issue its first NPDES CAFO individual permits following the public comment period due date. It is our understanding that DEQ has been drafting additional NPDES CAFO individual permits. We look forward to working with you to finalize these draft NPDES CAFO permits, and then to performing our review of the proposed draft NPDES CAFO permits in a timely manner.

If you have any questions concerning this matter, please let me know.

Respectfully,

Joel

Joel Blanco-González
NPDES Permits Branch (3WP41)
Office of Permits and Enforcement
Water Protection Division | U.S. EPA Region 3
1650 Arch Street | Philadelphia, PA 19103 - 2029
Phone: (215) 814 - 2768 | Fax: (215) 814 - 2302
Email: blanco-gonzalez.joel@epa.gov

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]

Sent: Friday, September 26, 2014 1:02 PM

To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>

Subject:

Joel,

Please find attached the revised VPDES Application Addendum and the attachment for the Fact sheet. We believe that this will resolve the concerns that EPA relayed to us during the conference call on Monday, September 8th.

I am waiting for the response from the permittee, I will forward the response when I receive it.

Thanks,

Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
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Richmond, VA 23219
804-698-4059 direct line
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Program

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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry/VirginiaPoultryWasteManagementRequirement.aspx>

<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Friday, June 19, 2015 12:59 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Subject: RE: draft VPDES CAFO IP template for poultry

It is attached here.
Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Friday, June 19, 2015 12:35 PM
To: Bowles, Betsy (DEQ)
Subject: RE: draft VPDES CAFO IP template for poultry

Betsy,

Could you please share with us a copy of the NPDES CAFO template (.doc) for swine operations (the one used for MB)?

Should you have any questions or concerns concerning this matter, please contact us.

Respectfully,

Joel

From: Blanco-Gonzalez, Joel
Sent: Friday, June 19, 2015 11:26 AM
To: 'Bowles, Betsy (DEQ)'

Cc: 'Trulear, Brian'

Subject: RE: draft VPDES CAFO IP template for poultry

Betsy,

Thank you for your submittal. We will provide VADEQ with our comments or recommendations regarding this draft NPDES CAFO template during the week of June 29, 2015. Should you have any questions or concerns concerning this matter, please contact us.

Respectfully,

Joel

From: Bowles, Betsy (DEQ) [<mailto:Betsy.Bowles@deq.virginia.gov>]

Sent: Friday, June 19, 2015 10:38 AM

To: Blanco-Gonzalez, Joel

Subject: draft VPDES CAFO IP template for poultry

Hello Joel,

Please find attached the draft VPDES CAFO IP template for poultry. The template was revised based on our discussions during our conference call on June 11, 2015. Please let me know if you have any further questions or comments.

Thank you and have a great weekend,
Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
Virginia Department of Environmental Quality
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804-698-4059 direct line
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry/VirginiaPoultryWasteManagementRequirement.aspx>

<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Friday, March 13, 2015 6:01 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Cc: Zahradka, Neil (DEQ) <Neil.Zahradka@deq.virginia.gov>; Owens, Amy (DEQ) <Amy.Owens@deq.virginia.gov>; Mullins, Seth (DEQ) <Seth.Mullins@deq.virginia.gov>; Winter, Kyle (DEQ) <Kyle.Winter@deq.virginia.gov>; Trulear, Brian <Trulear.Brian@epa.gov>; Smith, Mark <Smith.Mark@epa.gov>; Zolandz, Mark <Zolandz.Mark@epa.gov>
Subject: RE: Murphy-Brown LLC - Draft VPDES CAFO IPs for review

Joel,
Thank you for letting me know when to expect a response. We look forward to finalizing these permits. We appreciate EPA continuing to work with DEQ to implement the VPDES CAFO program.

Have a great weekend,
Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
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629 East Main Street
Richmond, VA 23219
804-698-4059 direct line
804-698-4032 fax

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Program

Websites: <http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry.aspx>
<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/LivestockPoultry/VirginiaPoultryWasteManagementRequirement.aspx>
<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Friday, March 13, 2015 5:57 PM
To: Bowles, Betsy (DEQ)
Cc: Zahradka, Neil (DEQ); Owens, Amy (DEQ); Mullins, Seth (DEQ); Winter, Kyle (DEQ); Trulear, Brian; Smith, Mark; Zolandz, Mark
Subject: RE: Murphy-Brown LLC - Draft VPDES CAFO IPs for review

Betsy,

This is to inform you that by April 12, 2015, EPA will provide general comments upon, objections to, or recommendations with respect to the proposed permits.

If you have any questions concerning this matter, please contact us.

Respectfully,

Joel

From: Bowles, Betsy (DEQ) [<mailto:Betsy.Bowles@deq.virginia.gov>]
Sent: Friday, March 13, 2015 5:35 PM
To: Blanco-Gonzalez, Joel; Zolandz, Mark
Cc: Zahradka, Neil (DEQ); Owens, Amy (DEQ); Mullins, Seth (DEQ); Winter, Kyle (DEQ)
Subject: Murphy-Brown LLC - Draft VPDES CAFO IPs for review

Hi Joel,

Please find the each of the draft VPDES CAFO Individual permits, draft factsheets and application documents for the remaining six (6) Murphy-Brown LLC farms (VA0C40001, VA0C40002, VA0C40003, VA0C40004, VA0C40005, and VA0C40006) covered by the Piedmont Regional Office, at the following File Share Site.

<http://www.deq.virginia.gov/fileshare/lap/EPA/Draft%20VPDES%20CAFO%20Permits/>

Please let me know if you have any questions during your review of these drafts permits and related documents.

Have a wonderful weekend,

Betsy

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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Monday, December 15, 2014 3:02 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Cc: Zolandz, Mark <Zolandz.Mark@epa.gov>
Subject: RE: EPA Completes Review of Virginia's First NPDES CAFO Individual Permits

Hi Joel,
I will definitely let you know when they are issued.

Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
Virginia Department of Environmental Quality
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Monday, December 15, 2014 12:03 PM
To: Bowles, Betsy (DEQ)
Cc: Zolandz, Mark
Subject: RE: EPA Completes Review of Virginia's First NPDES CAFO Individual Permits

Thank you for replying to my message, Betsy. Once these permits have been issued, please let us know.

If you have any questions concerning this matter, please contact us.

Respectfully,

Joel

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Monday, December 15, 2014 11:44 AM
To: Blanco-Gonzalez, Joel
Cc: Zolandz, Mark
Subject: RE: EPA Completes Review of Virginia's First NPDES CAFO Individual Permits

Hi Joel,
On Tuesday, December 9th, DEQ staff emailed the requests to the two local newspapers to publish the two draft VPDES CAFO permits that EPA reviewed.

Thanks and Happy Holidays to you as well.
Betsy

Betsy K. Bowles
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Wednesday, November 26, 2014 1:37 PM
To: Bowles, Betsy (DEQ)
Subject: RE: EPA Completes Review of Virginia's First NPDES CAFO Individual Permits

Dear Betsy,

Could you provide me with an update on the draft NPDES CAFO permits we reviewed?

If you have any questions concerning this matter, please contact us.

Respectfully,

Joel

Happy Holidays!

From: Blanco-Gonzalez, Joel

Sent: Friday, October 17, 2014 1:27 PM

To: 'Bowles, Betsy (DEQ)'; Zahradka, Neil (DEQ)

Cc: Trulear, Brian; Cruz, Francisco; Smith, Mark; Zolandz, Mark

Subject: EPA Completes Review of Virginia's First NPDES CAFO Individual Permits

Good Afternoon,

On October 7, 2014, the U.S Environmental Protection Agency (EPA) Region III communicated to the Virginia Department of Environmental Quality (DEQ) that EPA had no further comments on the first two National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) individual permits and has completed its review for the Murphy Brown LLC, Farms 1-5 (VA0C50001) and the Murphy Brown LLC, Farms 6-8 (VA0C50002).

Based on our e-mail correspondence and conversations, we agreed that DEQ will move forward with making the draft NPDES CAFO permits available for public comment, and if no major comments are received during the public comment period, DEQ plans to issue its first NPDES CAFO individual permits following the public comment period due date. It is our understanding that DEQ has been drafting additional NPDES CAFO individual permits. We look forward to working with you to finalize these draft NPDES CAFO permits, and then to performing our review of the proposed draft NPDES CAFO permits in a timely manner.

If you have any questions concerning this matter, please let me know.

Respectfully,

Joel

Joel Blanco-González

NPDES Permits Branch (3WP41)

Office of Permits and Enforcement

Water Protection Division | U.S. EPA Region 3

1650 Arch Street | Philadelphia, PA 19103 - 2029

Phone: (215) 814 - 2768 | Fax: (215) 814 - 2302

Email: blanco-gonzalez.joel@epa.gov

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Friday, September 26, 2014 6:07 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Cc: Trulear, Brian <Trulear.Brian@epa.gov>; Cruz, Francisco <Cruz.Francisco@epa.gov>; Zolandz, Mark <Zolandz.Mark@epa.gov>; Smith, Mark <Smith.Mark@epa.gov>; Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>; OConnell, Kathleen (DEQ) <Kathleen.OConnell@deq.virginia.gov>; Owens, Amy (DEQ) <Amy.Owens@deq.virginia.gov>; Zahradka, Neil (DEQ) <Neil.Zahradka@deq.virginia.gov>
Subject: RE: VA NPDES CAFO Permits

Joel,

To clarify DEQ's understanding of the outcome of the call. DEQ revised the VPDES CAFO Permit Application Addendum to include chemical handling and mortality disposal methods – this provides opportunity for the public to comment on the proposed details of these two elements of the NMP. We are expecting a response from the permittee today. We also will attach the document titled "Correlation to the Nine Elements" to the Fact sheets of these draft permits and future permits. While EPA suggested edits to the draft permit to include the permit references, since we pointed out that the permit references compliance with the application information, it was our understanding that no further edits would be made to the draft VPDES CAFO Permits based on the call and the written comments we received. The permit already states the following:

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner of a concentrated animal feeding operation (CAFO) is authorized to discharge and otherwise manage pollutants in accordance with the information submitted with the permit application, and with this permit cover page, Part I— Discharge and Pollutant Management Authorization; Monitoring Requirements; Recordkeeping and Reporting, Part II— Waste Storage, Operation and Maintenance and Special Conditions, Part III— Nutrient Management and Land Application Requirements, and Part IV—Conditions Applicable to All VPDES Permits, as set forth herein.

As mentioned during the call, we feel that the language above covers us to ensure that the application and addendum are enforceable through the permit and therefore changes to the permit are unnecessary.

Feel free to contact me if you have any questions,
Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [<mailto:Blanco-Gonzalez.Joel@epa.gov>]

Sent: Thursday, September 11, 2014 12:08 PM

To: Bowles, Betsy (DEQ)

Cc: Trulear, Brian; Cruz, Francisco; Zolanz, Mark; Smith, Mark; Duchovnay, Andrew

Subject: VA NPDES CAFO Permits

Betsy,

Thank you for our September 8, 2014 conference call regarding VADEQ's draft NPDES CAFO permit. Based on our discussion, we agreed that VADEQ will revise its draft permit, fact sheet, and the permit application form, including an application addendum, to address the federal nine minimum requirements, specifically mortality and chemical handling which are not currently addressed in Virginia's NMPs. Revisions made to these documents will ensure compliance with applicable NPDES CAFO regulations, including public notice requirements for the permit and NMP. Once VADEQ has submitted to us a final draft NPDES CAFO permit, EPA will provide general comments upon, objections to, or recommendations with respect to the proposed permit.

We look forward to reviewing a revised complete permit package once these revisions have been made.

If you have any questions concerning this matter, please let me know.

Respectfully,

Joel Blanco-González
NPDES Permits Branch (3WP41)
Office of Permits and Enforcement
Water Protection Division | U.S. EPA Region 3
1650 Arch Street | Philadelphia, PA 19103 - 2029
Phone: (215) 814 - 2768 | Fax: (215) 814 - 2302
Email: blanco-gonzalez.joel@epa.gov

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Friday, September 26, 2014 1:45 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Subject: RE: VA NPDES CAFO Permit

Joel,

Are you saying that we should expect the EPA comments on the documents that I just sent to you or the permittee's addendum?

Thanks,
Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Friday, September 26, 2014 1:33 PM
To: Bowles, Betsy (DEQ)
Subject: VA NPDES CAFO Permit

Betsy,

Thank you for replying to our comments. Within two weeks of receipt, EPA will provide general comments upon, objections to, or recommendations with respect to the proposed documents.

If you have any questions concerning this matter, please let me know.

Respectfully,

Joel Blanco-González
NPDES Permits Branch (3WP41)
Office of Permits and Enforcement
Water Protection Division | U.S. EPA Region 3
1650 Arch Street | Philadelphia, PA 19103 - 2029
Phone: (215) 814 - 2768 | Fax: (215) 814 - 2302
Email: blanco-gonzalez.joel@epa.gov

From: Bowles, Betsy (DEQ) [<mailto:Betsy.Bowles@deq.virginia.gov>]
Sent: Friday, September 26, 2014 1:02 PM
To: Blanco-Gonzalez, Joel
Subject:

Joel,
Please find attached the revised VPDES Application Addendum and the attachment for the Fact sheet. We believe that this will resolve the concerns that EPA relayed to us during the conference call on Monday, September 8th.
I am waiting for the response from the permittee, I will forward the response when I receive it.

Thanks,
Betsy

Betsy K. Bowles
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Wednesday, October 14, 2015 3:47 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Hi Joel,
The draft permits are slated to be published on 10/21 and 10/28.
Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
Virginia Department of Environmental Quality
629 East Main Street
Richmond, VA 23219
804-698-4059 direct line
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Tuesday, October 13, 2015 1:45 PM
To: Bowles, Betsy (DEQ)
Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Betsy,

Could you please share with us the status of these permits.

Should you have any questions or concerns regarding this matter, please contact us.

Respectfully,

Joel

From: Blanco-Gonzalez, Joel
Sent: Monday, August 24, 2015 6:35 PM
To: 'Bowles, Betsy (DEQ)' <Betsy.Bowles@deq.virginia.gov>
Cc: Trulear, Brian <Trulear.Brian@epa.gov>; 'Zahradka, Neil (DEQ)' <Neil.Zahradka@deq.virginia.gov>;

Smith, Mark <Smith.Mark@epa.gov>

Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Betsy,

Thank you for replying to our comments. Based on our email correspondence, including attachments, we will not be providing any additional comment to the issuance of these permits. If for any reason, the draft permits are modified from the versions that were submitted to us on August 24, 2015, please forward a copy of the new draft permits to us for review before issuance. Should you have any questions or concerns regarding this matter, please contact us.

Respectfully,

Joel

Joel Blanco-González
NPDES Permits Branch (3WP41)
Office of Permits and Enforcement
Water Protection Division | U.S. EPA Region III
1650 Arch Street | Philadelphia, PA 19103 - 2029
Phone: (215) 814 - 2768 | Fax: (215) 814 - 2302
Email: blanco-gonzalez.joel@epa.gov

From: Bowles, Betsy (DEQ) [<mailto:Betsy.Bowles@deq.virginia.gov>]

Sent: Monday, August 24, 2015 4:20 PM

To: Blanco-Gonzalez, Joel

Cc: Trulear, Brian

Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Joel,

The attached documents are the draft revised Murphy-Brown VPDES CAFO permits (all six) and one draft Fact sheet. The BMP special condition was revised and moved into Part II C in the Special Conditions section. The fact sheet is highlighted to show where it was moved in the permit, otherwise, the language in the fact sheet has not been changed.

Let me know if you have any questions.

Thanks,

Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [<mailto:Blanco-Gonzalez.Joel@epa.gov>]

Sent: Monday, August 24, 2015 10:49 AM

To: Bowles, Betsy (DEQ)

Cc: Trulear, Brian

Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Good Morning, Betsy,

We would like to see a copy of the revised draft permit and the language VADEQ will add to the fact sheet.

Should you have any questions or concerns regarding this matter, please contact us.

Respectfully,

Joel

From: Bowles, Betsy (DEQ) [<mailto:Betsy.Bowles@deq.virginia.gov>]

Sent: Friday, August 21, 2015 7:30 PM

To: Blanco-Gonzalez, Joel

Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Hi Joel,

I have made changes to the permit language as requested by EPA. I can send the draft permits to EPA on Monday. However, if you would like to see the draft Factsheets I will have to send those at a separate time. The regional staff must make some changes to the Fact sheet, that staff member is not in on Mondays.

Betsy

Betsy K. Bowles
Animal Feeding Operations Program Coordinator
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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [<mailto:Blanco-Gonzalez.Joel@epa.gov>]

Sent: Wednesday, August 19, 2015 9:24 AM

To: Bowles, Betsy (DEQ)

Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Good Morning, Betsy,

Could you please share with us the status of the draft NPDES permits below.

Should you have any questions or concerns regarding this matter, please contact me.

Respectfully,

Joel

From: Blanco-Gonzalez, Joel

Sent: Thursday, July 16, 2015 11:56 AM

To: 'Bowles, Betsy (DEQ)'

Cc: Trulear, Brian; 'Zahradka, Neil (DEQ)'

Subject: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Betsy,

According to the Memorandum of Agreement (MOA) between the United States Environmental Protection Agency (EPA) Region III and the Virginia Department of Environmental Quality (VADEQ), the EPA has reviewed the draft National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) individual permits for:

- CAFO Murphy Brown LLC Farms 9, 10, 21 (VA0C40001)
- CAFO Murphy Brown LLC Farms 12 (VA0C40002)
- CAFO Murphy Brown LLC Farms 13-14 (VA0C40003)
- CAFO Murphy Brown LLC Farms 15 (VA0C40004)
- CAFO Murphy Brown LLC Farms 16-17 (VA0C40005)
- CAFO Murphy Brown LLC Farms 18-20 (VA0C40006)

EPA has chosen to perform a limited review based on the draft permit and fact sheet we received on June 19, 2015. As a result of our limited review, we offer the following comments and recommendations. As a recommendation, please add the following requirement as set forth in the draft VADEQ NPDES individual permit template for poultry operations.

VA NPDES CAFO IPs for Poultry Operations

PART III.B. LAND APPLICATION REQUIREMENTS

2. *Best Management Practices (BMP): If a BMP or BMPs are utilized, installed or constructed at the facility for water quality protection including the requirements and assumptions of any approved TMDL or in compliance with 40 CFR Part 412, the BMP or BMPs must be maintained onsite for the term of this permit or the life of the practice, whichever is shorter. Details regarding the purpose and maintenance of the BMP shall be included in the facility's Farm Operating Manual. The Department will provide written notification to the owner that a facility is subject to any TMDL requirements.*

Please address our comments and recommendations, and provide us with any changes to the draft permit, fact sheet, and/or permit components. Should you have any questions or concerns regarding this matter, please contact us.

Respectfully,

Joel

Joel Blanco-González
NPDES Permits Branch (3WP41)
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1650 Arch Street | Philadelphia, PA 19103 - 2029
Phone: (215) 814 - 2768 | Fax: (215) 814 - 2302
Email: blanco-gonzalez.joel@epa.gov

From: Bowles, Betsy (DEQ) [mailto:Betsy.Bowles@deq.virginia.gov]
Sent: Friday, August 21, 2015 7:30 PM
To: Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>
Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Hi Joel,

I have made changes to the permit language as requested by EPA. I can send the draft permits to EPA on Monday. However, if you would like to see the draft Factsheets I will have to send those at a separate time. The regional staff must make some changes to the Fact sheet, that staff member is not in on Mondays.

Betsy

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<http://www.deq.state.va.us/Programs/Water/LandApplicationBeneficialReuse/Agriculture.aspx>

From: Blanco-Gonzalez, Joel [mailto:Blanco-Gonzalez.Joel@epa.gov]
Sent: Wednesday, August 19, 2015 9:24 AM
To: Bowles, Betsy (DEQ)
Subject: RE: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Good Morning, Betsy,

Could you please share with us the status of the draft NPDES permits below.

Should you have any questions or concerns regarding this matter, please contact me.

Respectfully,

Joel

From: Blanco-Gonzalez, Joel
Sent: Thursday, July 16, 2015 11:56 AM
To: 'Bowles, Betsy (DEQ)'
Cc: Trulear, Brian; 'Zahradka, Neil (DEQ)'
Subject: VA NPDES CAFO IPs - Murphy Brown LLC Farms

Betsy,

According to the Memorandum of Agreement (MOA) between the United States Environmental Protection Agency (EPA) Region III and the Virginia Department of Environmental Quality (VADEQ), the EPA has reviewed the draft National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) individual permits for:

- CAFO Murphy Brown LLC Farms 9, 10, 21 (VA0C40001)
- CAFO Murphy Brown LLC Farms 12 (VA0C40002)
- CAFO Murphy Brown LLC Farms 13-14 (VA0C40003)
- CAFO Murphy Brown LLC Farms 15 (VA0C40004)
- CAFO Murphy Brown LLC Farms 16-17 (VA0C40005)
- CAFO Murphy Brown LLC Farms 18-20 (VA0C40006)

EPA has chosen to perform a limited review based on the draft permit and fact sheet we received on June 19, 2015. As a result of our limited review, we offer the following comments and recommendations. As a recommendation, please add the following requirement as set forth in the draft VADEQ NPDES individual permit template for poultry operations.

VA NPDES CAFO IPs for Poultry Operations

PART III.B. LAND APPLICATION REQUIREMENTS

- 2. Best Management Practices (BMP): If a BMP or BMPs are utilized, installed or constructed at the facility for water quality protection including the requirements and assumptions of any approved TMDL or in compliance with 40 CFR Part 412, the BMP or BMPs must be maintained onsite for the term of this permit or the life of the practice, whichever is shorter. Details regarding the purpose and maintenance of the BMP shall be included in the facility's Farm Operating Manual. The Department will provide written notification to the owner that a facility is subject to any TMDL requirements.*

Please address our comments and recommendations, and provide us with any changes to the draft permit, fact sheet, and/or permit components. Should you have any questions or concerns regarding this matter, please contact us.

Respectfully,

Joel

Joel Blanco-González
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